



Department of Justice

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PRESS RELEASE

Albany, New York —United States Attorney Richard S. Hartunian and Patrick Coultry, Resident Agent in Charge of the U.S. Immigration and Customs Enforcement, Department of Homeland Security, announced that JOSHUA STANFIL, age 24, of Schenectady, New York, was sentenced by the Honorable David N. Hurd in Federal District Court in Utica on his guilty plea to Count One of an Indictment charging him with the receipt of child pornography. STANFIL was sentenced to sixty months of imprisonment and supervised release for life. He was also ordered to: (1) have no unsupervised contact with minors; and (2) register with the New York State Sex Offender Registry Program. The Court also ordered that a computer be forfeited to the United States.

STANFIL pled guilty on May 27, 2010. In connection with his plea, STANFIL admitted the following during his plea proceeding:

Between about August, 2004 and July 23, 2009, STANFIL, while in his residence, used a Dell XPS desktop computer, serial no. J8OPLC1 to access the internet. While on the internet STANFIL downloaded and installed a file sharing program called "Limewire" onto said computer. Limewire is known as a Peer-to-Peer file sharing program and it allows internet users to trade and receive digital files from other users of computers with the same file sharing program.

While surfing the internet and visiting various websites or while using the Limewire program, STANFIL obtained several electronic files containing still images and videos depicting minors engaged in sexually explicit conduct. STANFIL then downloaded some of these still images and videos to the aforementioned computer wherein he would ultimately save the electronic files.

Investigators identified the IP address assigned to the defendant's internet account with Time Warner Cable. Investigators further identified that the defendant, through the use of the Limewire file sharing software, had placed

several video files depicting minors engaged in sexually explicit conduct in his "shared" folder, thereby permitting other Limewire users seeking child pornography to receive child pornography from STANFIL. On July 23, 2009 investigators executed a search warrant at the Defendant's residence. The aforementioned Dell desktop computer along with other electronic items were seized and searched.

A forensic examination of the aforementioned Dell desktop computer, which belonged to the Defendant, was subsequently conducted. Approximately 28 movie files and 84 still image files which depict minors engaged in sexually explicit conduct, as those terms and phrases are defined in Title 18, United States Code, Section 2256(2), were recovered from said computer. Said images depict individuals under the age of 18 engaged in, among other things, vaginal sex, oral sex, masturbation and the lascivious exhibition of the genitals and pubic area. All of the images recovered depict actual, as opposed to computer generated, images of minors engaged in such conduct. A number of these images depict prepubescent minors engaged in such conduct.

This case was investigated by the Department of Homeland Security, U.S. Immigration and Customs Enforcement in Albany, New York and the New York State Police.

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